



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/421,710	10/20/1999	DANIEL S. VENOLIA	M61.12-0144	4522

7590 06/19/2002

WESTMAN CHAMPLIN & KELLY P A  
SUITE 1600 INTERNATIONAL CENTRE  
900 SECOND AVENUE SOUTH  
MINNEAPOLIS, MN 554023319

EXAMINER

ARMSTRONG, ANGELA A

ART UNIT PAPER NUMBER

2654

DATE MAILED: 06/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

24

# Office Action Summary

Application No.

09/421,710

Applicant(s)

VENOLIA ET AL.

Examiner

Angela A. Armstrong

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 13-14, 17-21, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over VanBuskirk et al (US Patent No. 6,075,534) in view of Tannenbaum (US Patent No. 6,233,560) and Rozak (US Patent No. 5,864,815).

3. Regarding claims 1-3, 13-14, 17-21, and 29 VanBuskirk et al teaches

A minimal GUI for speech recognition in which the recognized text field and the system status visual user feedback component are combined together and can be displayed as embedded in the window of an application or can be a floating window at col. 1, lines 63-67, col. 5, lines 7-10 and col. 2, lines 60-63

Activating a microphone and displaying an indication that the microphone is active at col. 4, lines 42-51 and Figures 6 and 7

Variations in the volume of the user speech is displayed by a ribbon with fixed edge and movable edge to alter the shape and altering the color in response to variations in volume of the user speech (using speech signal value to determine coordinates of shape of display meter) at col. 2, lines 15-24.

Although VanBuskirk et al teaches a floating window to provide a system status visual user feedback component, they do not specifically teach that the floating window should be placed near an insertion area. Refer to Tannebaum who teach a method and apparatus for presenting proximal feedback of voice commands in which confirmation information is displayed on the screen at a location functionally related to the analyzed contents and context of the voice input (Abstract). Tannebaum teaches that displaying the confirmation information at these areas of the screen avoids distractions associated with fixed location confirmation areas (Abstract).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the speech recognition confirmation display system of VanBuskirk et al to implement displaying the visual feedback component on the screen in area related to the voice input, as taught by Tannebaum, for the purpose of avoiding distractions associated with fixed location confirmation areas, as also taught by Tannebaum.

VanBuskirk et al do not specifically teach providing information on progress in decoding a speech input. Refer to Rozak who teach displaying speech recognition status information using graphical and textual feedback, wherein the feedback provided may indicate a state of processing of the audio input by the speech recognition system (abstract, col. 5, lines 48-50).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the system of VanBuskirk et al to implement displaying visual feedback information regarding processing of the audio input as taught by Rozak, for the purpose of providing the user with information as to whether the audio input was received and processed, as suggested by Rozak (col. 1, lines 17-24).

Art Unit: 2654

Neither VanBuskirk, Tannebaum nor Rozak specifically teach displaying a volume meter close to a progress meter. However, VanBuskirk et al teaches that the multiple function graphical user interface should supply information in the smallest space possible (col. 3, lines 49-52).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to display the volume meter close to the audio processing progress meter for the purpose of using the smallest space possible when implementing the graphical user interface, as suggested by VanBuskirk et al.

4. Claims 4-16, 20, 22-28, and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over VanBuskirk et al, Tannebaum and Rozak in view of French-St. George et al (US Patent No. 6,018,711).

5. Regarding claims 4-12, 22-28, and 30-33, although VanBuskirk et al teach a shape that changes size and color based on the variations of the speech signal volume, neither VanBuskirk, Tannebaum, or Rozak specifically teach a mathematical function or relationship that governs the rate of change of the graphic display. French-St. George et al teaches animated graphical output in which the rate at which the animation diminishes in size is a linear function (abstract; col. 6, lines 60-67; col. 7, lines 1-21; col. 8, lines 9-53), for the purpose of improving of user feedback and control of the speech interface (col.5, lines 32-36).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the speech recognition graphical user interface of VanBuskirk to implement animated graphical output in which the rate at which the animation diminishes in size is a linear function,

Art Unit: 2654

as taught by French-St. George et al, for the purpose of improving of user feedback and control of the speech interface, as also taught by French-St. George.

6. Regarding claims 15-16

VanBuskirk et al do not specifically teach providing information on progress in decoding a speech input. Refer to Rozak who teach displaying speech recognition status information using graphical and textual feedback, wherein the feedback provided may indicate a state of processing of the audio input by the speech recognition system (abstract, col. 5, lines 48-50).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the system of VanBuskirk et al to implement displaying visual feedback information regarding processing of the audio input as taught by Rozak, for the purpose of providing the user with information as to whether the audio input was received and processed, as suggested by Rozak (col. 1, lines 17-24).

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2654

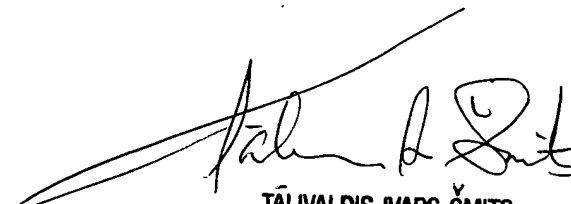
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258.

The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6306 for regular communications and 703-308-6296 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

AAA  
June 16, 2002



TĀIVALDIS IVARS ŠMITS  
PRIMARY EXAMINER